



**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION
PLAN AMENDMENT/REZONING REPORT**

▶ **FILE #:** 7-J-17-RZ
11-C-17-SP

AGENDA ITEM #: 29
AGENDA DATE: 11/9/2017

▶ **APPLICANT:** H.E. BITTLE, III / KNOX COUNTY COMMISSION
OWNER(S): H. E. (Rusty) Bittle, III

TAX ID NUMBER: 103 09102 [View map on KGIS](#)
JURISDICTION: Commission District 6
STREET ADDRESS:

▶ **LOCATION:** Northwest side Coward Mill Rd., northeast side Pellissippi Pkwy.

▶ **TRACT INFORMATION:** 33.84 acres.

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Coward Mill Rd., a minor collector street with 16' of pavement width within 50' of right-of-way. There appears to be an existing curbcut from Pellissippi Pkwy to the site, but it is unclear at this time whether TDOT would allow access to the proposed development from this location. Staff would likely discourage the use of this location for ingress and egress because of safety concerns.

UTILITIES: Water Source: West Knox Utility District
Sewer Source: West Knox Utility District

WATERSHED: Beaver Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** TP (Technology Park) / BP (Business and Technology) / TO (Technology Overlay)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** LDR (Low Density Residential) / PR (Planned Residential)

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Residential development

DENSITY PROPOSED: 5 du/ac

EXTENSION OF PLAN DESIGNATION/ZONING: No

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING

North: Vacant land - TP & HP - BP (Business & Technology Park) / TO (Technology Overlay)
South: Coward Mill Rd., Caris Healthcare, utilities - TP - BP (Business & Technology Park) / TO
East: House, vacant land - TP - BP (Business & Technology Park) / TO
West: Pellissippi Parkway R-O-W - ROW - BP (Business & Technology Park) / TO

NEIGHBORHOOD CONTEXT: This site fronts along Pellissippi Pkwy, with a business and utility station to the south and a church to the north, zoned BP/TO. To the east, along Coward Mill Rd, are some residential subdivisions, but they are located east of the Technology Overlay. There is a much smaller site to the southeast that was rezoned PR/TO at up to 3 du/ac, but it has yet to be developed and does not front on Pellissippi Pkwy.

STAFF RECOMMENDATION:

► **DENY LDR (Low Density Residential) sector plan designation.**

In keeping with the intent and mission of the Technology Corridor, areas designated for technology park and related uses should be maintained, especially ones with good exposure from the Parkway, such as this site. The Northwest County Sector Plan was recently reviewed and updated in August of 2016 and did not propose any change to the land uses for this subject property. The sector plan recommends Technology Park uses for the site, consistent with the current BP/TO zoning.

► **DENY PR (Planned Residential) / TO (Technology Overlay) zoning.**

PR zoning at this location would compromise the potential for future business and technology park uses on this and surrounding BP-zoned sites, especially once access to the area is potentially improved with a parallel access road to Pellissippi Parkway. If approved, future residential property owners may oppose appropriate business and technology park uses on the abutting BP/TO zoned properties. A use on review approval by MPC at a public hearing would be required for development in either the current BP or proposed PR zones.

COMMENTS:

SECTOR PLAN REQUIREMENTS FROM GENERAL PLAN (May meet any one of these):

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

INTRODUCTION OF SIGNIFICANT NEW ROADS OR UTILITIES THAT WERE NOT ANTICIPATED IN THE PLAN AND MAKE DEVELOPMENT MORE FEASIBLE:

No road improvements have been made recently to Coward Mill Rd. The Tennessee Technology Corridor Development Authority (TTEDA) Comprehensive Development Plan proposes a north-south access road parallel to Pellissippi Parkway that could open up isolated BP-zoned properties for development and create value for property owners and investors. This access road would make BP-zoned properties in this area more attractive for technology park development. Since this request was considered by MPC in July, TDOT and Knox County Engineering have discussed this possible road project and it has moved up on the priority list for funding. If the subject property is developed without consideration of this future road project, it would block further extension of Cherahala Blvd. to the north beyond Coward Mill Rd.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The plan appropriately calls for technology park (TP) development at this location. This should be maintained as it has since the 1980's establishment of the Technology Corridor, especially considering the site's frontage on and exposure to the parkway.

CHANGES IN GOVERNMENT POLICY, SUCH AS A DECISION TO CONCENTRATE DEVELOPMENT IN CERTAIN AREAS:

There have not been significant changes that have taken place to justify amendment of the sector plan. Staff maintains that business and technology park uses should be maintained in this area. Approval of these requests could lead to additional requests for residential uses in the future on other surrounding properties. MPC and Knox County Commission adopted the updated Northwest County Sector Plan just last year after staff review, several meetings with the public and consideration by both bodies at public hearings.

TRENDS IN DEVELOPMENT, POPULATION OR TRAFFIC THAT WARRANT RECONSIDERATION OF THE ORIGINAL PLAN PROPOSAL:

There are no apparent trends that warrant an amendment to the sector plan. The residential uses in the area are concentrated to the east, outside of the Technology Corridor.

REZONING REQUIREMENTS FROM ZONING ORDINANCES (must meet all of these):

THE PROPOSED AMENDMENT SHALL BE NECESSARY BECAUSE OF SUBSTANTIALLY CHANGED OR

CHANGING CONDITIONS IN THE AREA AND DISTRICTS AFFECTED, OR IN THE CITY/COUNTY GENERALLY:

1. No significant changes have occurred in the area that warrant the requested change in zoning. This site has been zoned BP/TO since the 1980's as part of the Technology Corridor.
2. The property is relatively flat, and has frontage on Pellissippi Parkway within the Technology Corridor and is surrounded on three sides by BP/TO zoning. Establishment of PR/TO zoning at this location would compromise the potential for future business and technology park uses on this and other surrounding properties, that are appropriately designated for business and technology park uses.
3. Staff recognizes the existence of residential zoning and development to the east, but those areas are further away from Pellissippi Parkway and outside of the Technology Corridor and the TO overlay. Areas with good exposure to the Parkway, such as the subject property, are ideal for the development of business and technology park uses, as originally intended, and as currently zoned.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE ZONING ORDINANCE:

1. PR zoning is intended to provide optional methods of land development which encourage more imaginative solutions to environmental design problems. Residential areas thus established would be characterized by a unified building and site development program, open space for recreation and provision for commercial, religious, educational and cultural facilities which are integrated with the total project by unified architectural and open space treatment.
2. As stated in item 3 above, PR/TO is not compatible with surrounding land uses and zoning.
3. If approved, the PR zone would require use on review approval of a development plan by MPC prior to construction. This will provide the opportunity for staff to review the plan and address issues such as traffic circulation, lot layout, recreational amenities, drainage, types of units and other potential development concerns. It will also give the opportunity for public comment at the MPC meeting.
4. Future development, depending on the type, may be subject to review and approval of a site plan by the TTCDA, since it is located within the TO overlay. MPC would also review a development plan as a use on review within either the current BP/TO or the proposed PR/TO zoning.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE COUNTY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT:

1. Establishment of PR/TO zoning at this location could compromise the potential for future business and technology park uses on this and surrounding BP-zoned sites.
2. PR/TO zoning is not consistent with the surrounding zoning and development pattern within the Technology Overlay and is not supported by the Northwest County Sector Plan and the TTCDA Comprehensive Development Plan.
3. There is a potential to extend Cherahala Blvd. from Hardin Valley Rd. north to Coward Mill Rd. and beyond to the church. If this development is approved, the potential to extend to the church may be lost, because the road extension would likely traverse through the subject property. With better access, staff is of the opinion that the property would be more likely to be developed with the intended business and technology park uses, as intended and as currently zoned.
4. The requested PR zoning at a density of up to 5 du/ac would allow for a maximum of 169 dwelling units to be proposed for the site. The impact of that number of detached units, would add approximately 1680 vehicle trips per day to the street system and would add approximately 69 children under the age of 18 to the school system.
5. If PR zoning is approved, the applicant will need to certify that adequate sight distance is available on Coward Mill Rd. from the proposed development entrance. The required sight distance will be 300 feet, based on the posted speed limit of 30 mph on Coward Mill Rd. Also, Coward Mill Rd. is relatively narrow at about 16 feet of pavement width. Improvements, including widening of the only access road, may also be required at the time of development plan review.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. With the requested plan amendment to the low density residential land use classification, PR/TO zoning would be consistent with the Northwest County Sector Plan. However, staff is recommending that the current sector plan designation and zoning be maintained in order to preserve the property for the proposed technology park uses.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

3. Approval of this request may lead to future rezoning and plan amendment requests for residential development on other properties within the proposed Technology Corridor, that surrounds the site.
4. Because of the property's location within the TO (Technology Overlay), the TTCDA was required to approve a Certificate of Appropriateness (CoA) for this rezoning. TTCDA staff had recommended denial, but on Mon., August 7, 2017, TTCDA approved a CoA for rezoning to PR, but did not specify a maximum density (7-B-17-TOR).

State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law now provides for two methods to amend the plan at TCA 13-3-304:

1. The Planning Commission may initiate an amendment by adopting a resolution and certifying the amendment to the Legislative Body. Once approved by majority vote of the Legislative Body, the amendment is operative.
2. The Legislative Body may also initiate an amendment and transmit the amendment to the Planning Commission. Once the Planning Commission has considered the proposed amendment and approved, not approved, or taken no action, the Legislative Body may approve the amendment by majority vote and the amendment is operative.

ESTIMATED TRAFFIC IMPACT: 1680 (average daily vehicle trips)

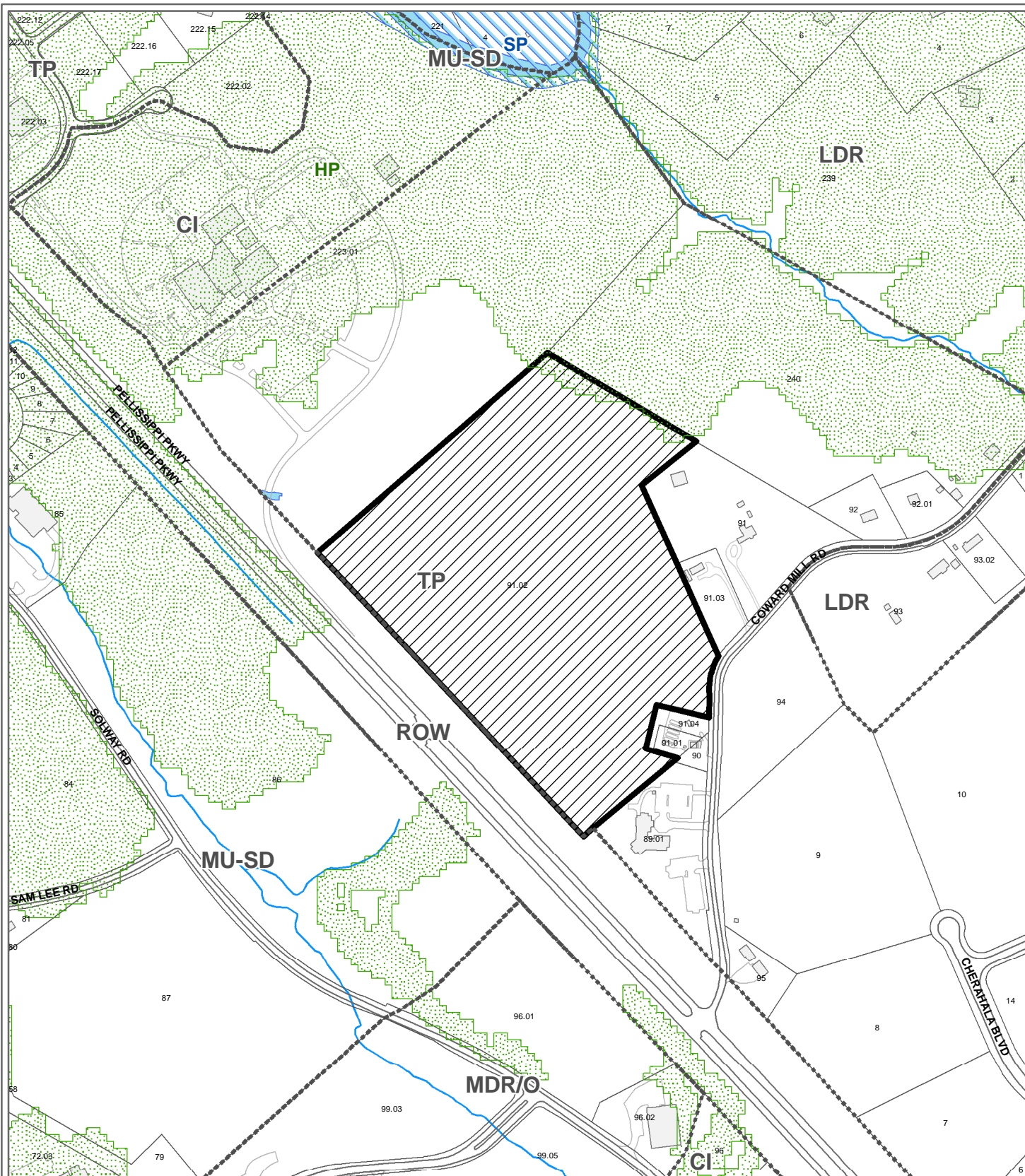
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed development.

ESTIMATED STUDENT YIELD: 69 (public school children, ages 5-18 years)

Schools affected by this proposal: Hardin Valley Elementary, Karns Middle, and Karns High.

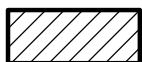
- School-age population (ages 5–18) is estimated by MPC using data from a variety of sources.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Zone boundaries are subject to change.
- Estimates presume full build-out of the proposed development. Build-out is subject to market forces, and timing varies widely from proposal to proposal.
- Student yields from new development do not reflect a net addition of children in schools. Additions occur incrementally over the build-out period. New students may replace current population that ages through the system or moves from the attendance zone.

If approved, this item will be forwarded to Knox County Commission for action on 12/18/2017. If denied, MPC's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal an MPC decision in the County.



**11-C-17-SP / 7-J-17-RZ
NORTHWEST COUNTY SECTOR PLAN AMENDMENT**

From: TP (Technology Park)
To: LDR (Low Density Residential)

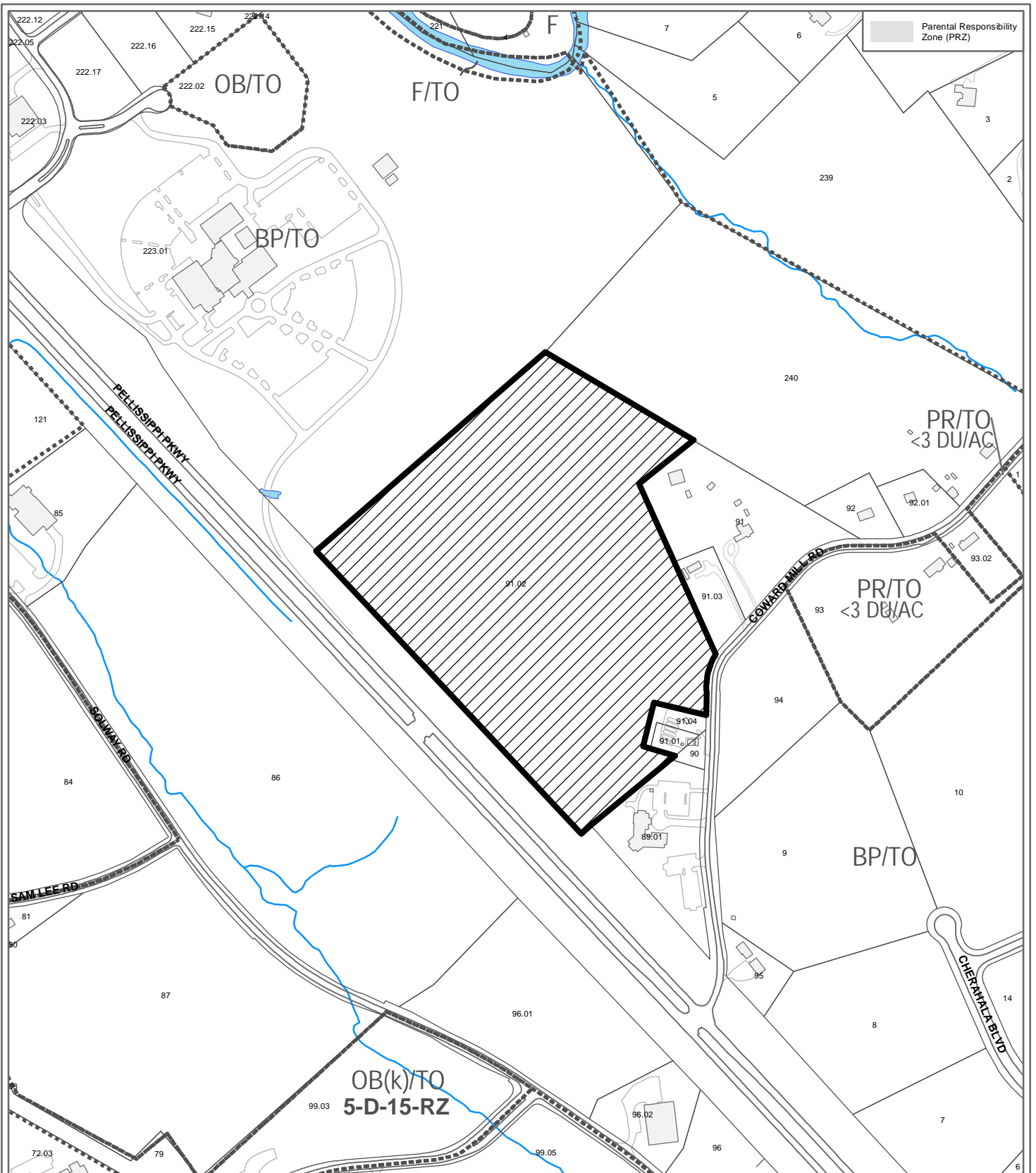


Petitioner: H.E. Bittle, III / Knox County Commission

Map No: 103
Jurisdiction: County

Original Print Date: 10/17/2017 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902





**7-J-17-RZ
REZONING**

From: BP (Business and Technology) / TO (Technology Overlay)
 To: PR (Planned Residential) / TO (Technology Overlay)



Petitioner: Bittle III, H.E.

Map No: 103
 Jurisdiction: County



Original Print Date: 6/14/2017 Revised: 7/13/2017
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

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400 Main Street
Knoxville, Tennessee 37902
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www.knoxmpc.org

PLAN AMENDMENT

11-C-17-SP

Date Filed: 9/26/2017

Name of Applicant: ~~H.E. BITTLE, III~~ / KNOX COUNTY COMMISSION

Meeting Date: 11/9/2017

Application Accepted By: Michael Brusseau

Rezoning File Number:

7-5-17-R2

Plan Amendment File Number: 11-C-17-SP *

PROPERTY INFORMATION

Street Address:

General Location:
Northwest side Coward Mill Rd., northeast side Pellissippi Pkwy.

Tract Size: 33.84 acres
Parcel ID: 103 09102

Existing Land Use:
Vacant land

Planning Sector: Northwest County
Growth Plan: Planned Growth Area
Census Tract(s): 59.08
Traffic Zone(s): 226
Jurisdiction: County Commission District 6

PROPERTY OWNER/OPTION HOLDER

H. E. (Rusty) Bittle, III
10784 Hardin Valley Rd
Knoxville, TN 37932
Telephone: 865-202-0136 Fax:
Email: rusty@hardinvalleyland.com

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:
H. E. (Rusty) Bittle, III
10784 Hardin Valley Rd
Knoxville, TN 37932
Telephone: 865-202-0136 Fax:
Email: rusty@hardinvalleyland.com

APPROVAL REQUESTED

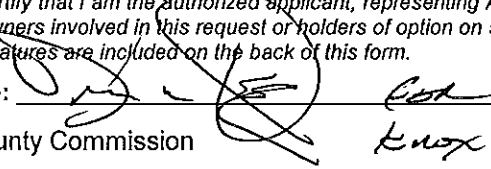
Rezoning

Plan Amendment

Type: Northwest County Sector Plan Amendment
FROM:
TP (Technology Park)
TO:
LDR (Low Density Residential)

APPLICATION AUTHORIZATION

I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose signatures are included on the back of this form.

Signature: 
Knox County Commission
400 Main St City County Building
Knoxville, TN 37902
Telephone: 865-215-2534 Fax: 865-215-2038
Email:

Knox County Commission 35.0

PROPOSED USE OF PROPERTY

Residential development

Density Proposed: 5 du/ac
Previous Rezoning Requests:
None noted

REZONING PLAN AMENDMENT

Name of Applicant: H.E. B. Hile III Date Filed: 9/27/16 Meeting Date: 11/9/17 Application Accepted by: [Signature] Fee Amount: .00 File Number: Rezoning 7-5-17-RZ Fee Amount: File Number: Plan Amendment

REVISOR 9/27/17

PROPERTY INFORMATION

Address: 0 Coward Mill Rd General Location: W/S Coward Mill Rd NE/S Mississippi Pkwy Parcel ID Number(s): 103-09102 Tract Size: 33.84 acres Existing Land Use: Vacant land Planning Sector: NW County Growth Policy Plan: Planned Growth Census Tract: 59.08 Traffic Zone: Jurisdiction: [] City Council District [] County Commission 6 District

PROPERTY OWNER OPTION HOLDER

PLEASE PRINT Name: H.E. B. Hile III Company: Address: 16784 Hardin Valley Rd City: Knoxville State: TN Zip: 37932 Telephone: 865-202-0136 Fax: E-mail: Rusty@hardinvalleyland.com

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to: PLEASE PRINT Name: Same as Company: Option holder Address: City: State: Zip: Telephone: Fax: E-mail:

Requested Change

REZONING

FROM: BP/TO TO: PR/TO

PLAN AMENDMENT

[] One Year Plan [] Sector Plan

FROM: TO:

REVISOR 9/27/17

PROPOSED USE OF PROPERTY

Density Proposed 5 DU/A Units/Acre Previous Rezoning Requests:

APPLICATION AUTHORIZATION

I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose signatures are included on the back of this form.

Signature: [Signature] PLEASE PRINT Name: Arthur G. Seymour Jr. Company: Frank, McConnell & Seymour Address: P.O. Box 39 City: Knoxville State: TN Zip: 37901 Telephone: 865 544-9321 E-mail: ASeymour@FMSUP.com